IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO.15953 OF 2006

Date of decision : November 09, 2006

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Fortis Nursing and Education Society .....Petitioner

Vs.

State of Punjab and others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. H.S Mattewal, Sr. Advocate with Mr. H.S Sidhu, Advocate for the petitioner(s).

Mr. Sukhdip Singh Brar, Additional Advocate General, Punjab for respondent no.1.

Mr. T. S Dhindsa, Advocate for respondent no.2.

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Viney Mittal, J. (Oral)

At the outset, Sh. T.S Dhindsa, learned counsel appearing for the Punjab Nurses Registration Council-respondent no.2 states that keeping in view the directions issued by this Court in CWP No.19294 of 2005 on January 11, 2006 (Annexure R-2/3), the Punjab Nurses Registration Council has no objection if the petitioner completes the building for running a GNM Course on or before November 2007 and till such time is permitted to run the said course in the present building. Sh. Dhindsa further states that the aforesaid concession is being offered to the petitioner-Society keeping in view the communication Annexure P-12 issued in the month of November 2005 by Indian Nursing Council. Sh. Dhindsa also states that the aforesaid

concession is being offered to the petitioner-Society keeping in view the interest of the students and also keeping in view the fact that petitioner-Society is already running the said Course in the present building. However, Sh. Dhindsa has categorically taken a stand that under any circumstances, the petitioner-Society shall not be allowed to make any further admissions for the academic session next ensuing after November 2007, in case the building as required is not so completed by the petitioner-Society.

Sh. H.S Mattewal, learned Senior counsel appearing for the petitioner-Society accepts the aforesaid fair offer made by Sh. T.S Dhindsa on behalf of the Punjab Nurses Registration Council.

In view of the aforesaid fact, we dispose of the present petition with a direction to the petitioner-Society to file an affidavit/undertaking within a period of 10 days from today, with Punjab Nurses Registration Council to the effect that it will construct the building on or before November 2007 and shall not make any further admissions in the next ensuing academic session, till such time the aforesaid building is so completed by the petitioner-Society. It is also made clear that the present concession offered by the Punjab Nurses Registration Council is only with a view to avoid any hardship to the students who are continuing their studies and with a view to avoid any controversy in the matter and shall not be treated as a precedent for any future deviation.

In view of the aforesaid stand taken on behalf of the Punjab Nurses Registration Council, the present petition is disposed of as having renderd infrucutous.

It is however, made clear that as per the aforesaid arrangement, the petitioner-Society would be entitled to admit the students as agreed between the parties.

Copy of the order be given dasti under the signatures of the Special Secretary attached to the Bench.

(VINEY MITTAL)
JUDGE

November 09, 2006
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(H.S BHALLA)
JUDGE